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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,216	01/26/2004	Graeme McLintock	2001P14563WOUS	6557

28204 7590 07/11/2007  
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EXAMINER
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TIMBLIN, ROBERT M

ART UNIT	PAPER NUMBER
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2167

MAIL DATE	DELIVERY MODE
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07/11/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/763,216

**Applicant(s)**

MCLINTOCK, GRAEME

**Examiner**

Robert M. Timblin

**Art Unit**

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This office action corresponds to application 10/763,216 filed 1/26/2004

#### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/11/2007 has been entered.

#### ***Response to Amendment***

Claim 5 has been amended and entered. Accordingly, claims 1-7 are pending.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the phrase "and/or" renders the claim indefinite.

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Claim 4 recites the limitation "the respective forwarding and/or distribution advice" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the phrases "and if not" in line 9 and "and if so" in line 11 render the claim as not being clear as a result of checking for presence of delivery points.

Claim 5 is also rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention because "the changed position" in the second to last line is unclear because there is no reference to changing the position prior to this limitation.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Cordery et al. ('Cordery') (US 5,682,429).

With respect to claim 1, Cordery teaches a method for automatically generating current distribution order data with the inclusion of central address directories, which are stored in databases and are transmitted by electronic data transfer, as distribution order data, comprising the steps of:

locally copying (Abstract, line 3-5 and line 18-20 and col. 3 line 12-21 and line 36-39; use of local area network) a current central address directory (col. 2 line 11-15, col. 4 line 32-33, drawing reference 110) or parts relating to a relevant area (col. 4 line 33),

locally storing change instructions (drawing reference 710) regarding a relative positional change for delivery points (col. 4 line 62-63, col. 8 line 61-62) in the distribution order (abstract, mailing list) for a previous version (col. 8 line 62; original address) of the central address directory (col. 2 line 11-15, col. 4 line 32-33, drawing reference 110) or of the parts

transferring the change instructions (col. 5 line 26-27, drawing reference 710, postal database of figure 1) to the local copy of the current central address directory (col. 2 line 11-15, col. 4 line 32-33, drawing reference 110) or parts,

performing a check (drawing reference 716) so as to determine whether the change instructions have already been implemented (drawing reference 716, true) in the current address directory or whether the instructions yet to be executed (drawing reference 716, false),

storing valid change instructions (drawing reference 710) yet to be executed in an audit file (drawing reference 706 and col. 8 line 51-67 and fig. 6-7).

executing the change instructions (drawing reference 634 and 710).

With respect to claim 2 Cordery teaches the identification data (col. 11 line 47-48) additionally and locally incorporate house number extensions (col. 9 line 55-59).

With respect to claim 5, Cordery teaches updating the central address directory or address directory parts by transmitting only incremental changes by data transfer (figure 7A drawing reference 726 to 710).

the changes being merged (abstract line 1-3) with the previously current and copied address directory (col. 2 line 11-15, col. 4 line 32-33, drawing reference 110) or address directory part by using the identification data (col. 11 line 47-48) for each delivery point (col. 9 line 49-51) to check in the previously current address directory (col. 8 line 62, original address) or address directory part whether the respective delivery point (col. 9 line 49-51) in the incremental change (figure 7A drawing reference 726 to 710) is already present, and if not, incorporating the respective delivery point (drawing reference 718) into the copied address directory (col. 2 line 11-15, col. 4 line 32-33, drawing reference 110) or address directory part at the concomitantly transmitted position of the distribution order (col. 16 line 58-67), and if so, moving the respective delivery point is moved to the changed position in the address directory (col. 9 line 52 – hygiene (i.e. corrected) addresses).

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With respect to claim 6, Cordery teaches the move of a delivery point (col. 8 line 61-62) is implemented by deleting said delivery point at the previous position of the address directory and re-entering it at the changed position (col. 9 line 52).

With respect to claim 7, Cordery teaches identifying delivery points (col. 11 line 50) according to identification data (col. 11 line 47-48), the identification data (col. 11 line 47-48) comprising at least the sorting code (col. 11 line 40-46).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cordery as applied to claims 1-2 and 5-7 above in view of Allen et al. ('Allen') (U.S. Patent 5,422,821).

With respect to claim 3, Cordery fails to teach wherein the identification data additionally and locally incorporates distinguishing remarks.

Allen however teaches incorporating distinguishing remarks (col. 14 line 20-25) for endorsing the need for a mailpiece to be forwarded).

In the same field of endeavor, (i.e. i.e. managing mailing lists), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because the distinguishing remarks of Allen would have given Cordery an indication of an incorrect address for the benefit of correcting addresses in a mailing list.

With respect to claim 4, Cordery teaches the method according to claim 3, further comprising the steps of incorporating forwarding and/or distribution advice into the copied address directory by performing the following steps:

performing a check (drawing reference 712) so as to determine whether the delivery point for the respective forwarding and/or distribution advice exists (drawing reference 716) in the copied current address directory (col. 2 line 11-15, col. 4 line 32-33, drawing reference 110) for the distribution order data, and if so,

adding new forwarding and/or distribution advice to the copied address directory (col. 2 line 11-15, col. 4 line 32-33, drawing reference 110), , and

incorporating a complete change data (drawing reference 616) into the audit file (drawing reference 706 and col. 8 line 51-67 and fig. 6-7).

Cordery fails to expressly teach forwarding and/or distribution advice and the new forwarding and/or distribution advice having priority over the old forwarding and/or distribution advice of a same type.

Allen however, teaches forwarding and/or distribution advice (col. 2 line 46 and col. 14 line 20-31 line) for identifying incorrectly labeled items prior to shipment or



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delivery to a customer. Furthermore, Allen teaches the new forwarding and/or distribution advice having priority over the old forwarding and/or distribution advice of a same type (col. 15 line 26-31) for updating a change of address.

In the same field of endeavor, (i.e. managing mailing lists), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Allen would have given Cordery forwarding information in the case of an incorrectly addressed mailpieces to further include correct recipient addresses. Allen also teaches a preference in identifying incorrectly labeled mailpieces at a local post office (col. 5 line 20-25).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection and in view of a different interpretation of Cordery and the addition of the Allen reference.

**Conclusion**

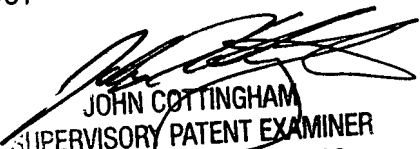
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Robert M. Timblin

Patent Examiner AU 2167  
6/27/2007

  
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